

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No 92 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? Yes
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?
2 to 5 No

BHIKHABHAI UDESING DARBAR

Versus

STATE OF GUJARAT

Appearance:

MS HIMALI M DAVE for Petitioner
Mrs. B.R. Gajjar, APP for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 16/03/98

ORAL JUDGEMENT

Heard Ms. Himali M. Dave, learned advocate appearing for the petitioner and Mrs. B.R. Gajjar, learned APP for the State.

2. It has been stated on behalf of the petitioner that present Revision Application has been filed to challenge the legality and validity of judgment and order

passed by the learned Additional Sessions Judge, Nadiad, in the proceedings of Criminal Misc. Application No. 625 of 1997. That present matter has been assigned to learned Advocate by Legal Aid Committee as present petitioner has moved the petition from Jail. That learned Advocate for petitioner on enquiry has come to know that one Criminal Misc. Application No. 5526 of 1997 has been decided by this Court (Coram: Mr. Justice H.R. Shelat) by judgment and order dated 6.10.1997. That the said decision has been reported in 39(1) GLR 315. That reading the report, it appears that either by mistake of office or on account of some different application filed by present petitioner, the decision on same subject matter has already been pronounced by this Court by above stated reported matter. Under the circumstances, present Application is infructuous and thereby appropriate orders may be passed.

3. On verification of the fact, it appears that vide the above stated reported decision, this Court has already decided the grievance made by the present petitioner in the present Revision Application against the impugned order of the Additional Sessions Judge, Nadiad, passed in Criminal Misc. Application No. 625 of 1997 on 14.7.1997. In view of the same, the present Criminal Revision Application No. 92 of 1998 stands disposed of as rejected on account of it being infructuous. Rule is discharged. No order as to costs.

p.n.nair